

GP 1648  
Docket No: ACY-33261

Patent

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10/17/01**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****RECEIVED**

OCT 17 2001

TECH CENTER 1600/2900

In re of Application of: **Sanchez, et al.**Serial No.: **09/155,003**Group No.: **1648**Filed: **September 14, 1998** Examiner: **J. Parkin**For: **VECTORS BASED ON RECOMBINANT DEFECTIVE VIRAL  
GENOMES AND THEIR USE IN THE FORMULATION OF  
VACCINES**Confirmation No.: **7916**Customer Number: **25291**Commissioner for Patents  
Box Non-Fee Amendment  
Washington, DC 20231**SUPPLEMENTAL RESPONSE TO RESTRICTION REQUIREMENT**

Dear Sir:

In response to the Communication dated October 3, 2001, applicants hereby elect *Mycoplasma hyopneumoniae* as the single porcine pathogen to be pursued in the application, together with elected Claims 57-59.

The requirement for election is respectfully traversed because all the species of Claim 59 are porcine pathogens, and a search of such would not place an undue burden on the Office. There certainly is some commonality to this group in that every pathogen listed affects pigs, and the listing itself only contains about two dozen members. In fact, many of the noted pathogens affect only porcine group members.

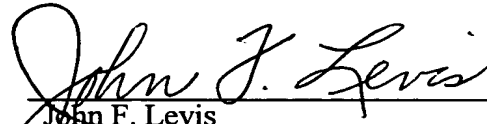
**CERTIFICATE OF MAILING 37 CFR §1.10**

I hereby certify that this paper and the documents referred to as enclosed therein are being deposited with the United States Postal Service on the date written below in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EL909158513US addressed to the Commissioner for Patents, Washington, DC 20231.

October 12, 2001  
DateKaren L. Reilly  
Karen L. Reilly

Thus, applicants respectfully request the office to reconsider their position, and examine all species together.

Respectfully submitted,

  
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John F. Levis

Reg. No. 34,210

American Home Products Corporation  
Patent Law Department  
Five Giralda Farms  
Madison, NJ 07940-0874  
Tel. No. (973) 683-2149